D.B. CIVIL SEPCIAL APPEAL NO.694/2007
(Hanuman Bux & Ors. Vs. Shri Niwas & Ors.)

DATE OF ORDER : 30.07.2007

HON'BLE MR. JUSTICE P.B. MAJMUDAR
HON'BLE MR. JUSTICE DEO NARAYAN THANVI

Mr. Sajjan Singh for the appellants.
Mr. M.S.Singhvi for the respondents.

Learned counsel Mr. Sajjain Singh submitted that he would like to withdraw not only this appeal but also the writ petition preferred before the learned Single Judge being S.B.Civil Writ Petition No.2508/2006 by reserving his rights to take all the pleas available to him in the pending suit. Learned counsel Mr. M.S.Singhvi has no objection if learned counsel for the appellants withdraw the original writ petition as well as the present appeal.

Accordingly, the appellants are permitted to withdraw the present appeal as well as the writ petition being S.B.Civil Writ Petition No.2508/2006. The present appeal as well as the writ petition stands dismissed as withdrawn. It is clarified to the parties to the suit to take all available points in the pending suit in accordance with law.

(DEO NARAYAN THANVI), J. **(P.B.MAJMUDAR), J.**

ms rathore